

Applicant: J. Thomas O'Brien
Application No.: 09/981,386

REMARKS

After the foregoing Amendment, Claims 17 and 21-24 are currently pending in this application. Claim 17 has been amended to more distinctly claim the subject matter which Applicant regards as the invention. Applicant submits that no new matter has been introduced into the application by this amendment.

Claim Rejections - 35 USC §103(a)

Claims 17, 21 and 22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,445,921 to Bell, hereinafter referred to as "Bell", in view of U.S. Patent No. 6,327,470 to Ostling, hereinafter referred to as "Ostling".

With regard to claim 17, claim 17 as amended discloses a dual-use user equipment (UE) configured to transparently transition between cordless and cellular environments. When operating in a cordless environment, the UE communicates with cellular communication devices, via a sub-base, which in-turn communicates with a cellular base station. When the UE detects that it is leaving the service range of the sub-base, the UE initiates a hand-off scheme whereby the UE generates and transmits a hand-off signal to the servicing sub-base. (See paragraph [38] of the present Application). This hand-off signal instructs the sub-base to cease communications with the cellular base station. Once the sub-base

ceases communications with the base station, the UE switches its modulation/demodulation scheme from that of the sub-base to the wireless scheme of the cellular base station. The UE then begins communicating directly with the base station. Unlike the cited references, no further signaling is required between the UE, the sub-base and/or the cellular base station to effectuate the hand-off.

Bell, as aptly described by the Examiner, fails to teach a transition between cordless and cellular environments that is transparent to a user communicating with the UE. Bell also fails to disclose a sub-base ceasing communications with a cellular base station responsive to a sent hand-off signal.

Ostling discloses a hand-off scheme whereby a dual mode phone transitions between an end office mode and mobile mode by initiating a sequence of new calls. First, the dual mode phone initiates a new call to a servicing end office. (See column 3, lines 55 to column 4, line 1). This new call is used to send a user's mobile phone number to the user's end office. The end office then generates and sends a signaling call which includes the user's mobile phone number to a mobile service center (MSC). Thereafter, the MSC calls the dual mode phone using the provided phone number via a base station system. The dual mode phone then "answers" the call to connect to the MSC. At this point, the dual mode is simultaneously connected to both the servicing end office and the MSC. Next, the dual mode phone initiates a call transfer to transition from the fixed (end office) mode to the mobile

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mode. (See column 4, lines 1-16). As described by Ostling, this hand-off scheme is akin to a three-way telephone call, wherein two parties (the end office and the MSC) are simultaneously associated with a third (i.e., the dual mode phone). Once the three parties are connected, the connection between the dual mode phone and the end office is severed.

Unlike Ostling, the dual-use UE of claim 17 does not require a three-way connection nor the initiation of multiple calls to effectuate a transparent transition between a cordless environment and a cellular environment. As described above, all that is required is a hand off signal sent from the UE to the sub-base instructing the sub-base to cease communications with the base station. Once the sub-base ceases communications, the UE switches its modulation/demodulation schemes to that of the cellular base station. No calls are made from the sub-base to the base station, or from the base station to the UE, as in Ostling. As a result, the hand-off scheme described in claim 17 is simpler and much more efficient than the scheme described in Ostling. Accordingly, it is respectfully submitted that a Bell-Ostling apparatus and hand-over scheme would not yield a dual-use UE capable of efficiently transitioning from a cordless to a cellular modes in a transparent manner without requiring multiple calls between the UE, the sub-base and the cellular base station, as disclosed in claim 17.

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Claims 21 and 22 are dependent upon claim 17, which the Applicant submits are allowable over the cited prior art for the same reasons provided above with regard to claim 17.

Claims 23 and 24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Bell in view of Ostling, as applied to claim 17, and further in view of U.S. Patent No. 6,253,088 to Wenk, hereinafter referred to as "Wenk".

With regard to claim 23, claim 23 discloses the UE of claim 17 further comprising means of determining it is entering a cordless environment by detecting a sub-base pilot signal. Claim 24 discloses the UE of claim 23 whereby the UE transitions from communicating with the cellular base station to communicating with the sub-base upon entering a cordless environment.

As described with regard to claim 17, the Bell-Ostling apparatus and hand-over scheme does not yield the dual-use UE of claim 17. Since claims 23 and 24 are dependent upon claim 17, claims 23 and 24 are allowable over Bell and Ostling for the same reasons provided above with regard to claim 17. Further, since Wenk only adds infra-red detection to the Bell-Ostling combination, Applicant submits that the Bell-Ostling-Wenk combination fails to yield the method and apparatus described by claim 17, and further described by claims 23 and 24.

Based on the arguments presented above, Applicant respectfully requests that the 35 U.S.C. §103(a) rejection of claims 17 and 21-24 be withdrawn.

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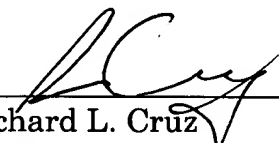
Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, Applicant respectfully submit that the present application, including claims 17 and 21-24, are in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

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